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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re:	:	
	:	Chapter 11
	:	
MARK R. DAMSTRA,	:	Case No.: 17-22723 (VFP)
	:	
Debtor.	:	OPPOSITION TO MOTION FOR
	:	RELIEF FROM AUTOMATIC STAY
	:	OR IN THE ALTERNATIVE MOTION
	:	FOR ADEQUATE PROTECTION

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Mark R. Damstra, by and through counsel, Levitt & Slafkes, P.C., opposes the pending Motion for Relief from Automatic Stay, or, in the alternative, Motion for Adequate Protection for the reasons that follow:

1. The Bank of New York Mellon f/k/a The Bank of New York as successor in interest to JP Morgan Chase Bank, N.A. as Trustee for Bear Stearns Asset-Backed Securities Trust 2003-AC3, Asset-Backed Certificates, Series 2003-AC3 (the "Bank of New York") has filed a motion for relief from the automatic stay, or, in the alternative, for adequate protection, in connection with the residential real property located at 610 Adams Street, Hoboken, New Jersey 07030-2004 (the "Property").

2. The Debtor had not filed opposition to the Bank of New York's motion because the parties have been engaged in good-faith settlement discussions, which are ongoing.

3. On November 20, 2017, counsel for the Bank of New York advised that his client had rejected the Debtor's settlement proposal.

4. The Property is the Debtor's primary residence, where he resides along with his significant other and his elderly parents.

5. The Debtor's forthcoming Chapter 13 Plan intends to address the Bank of New York's claim.

6. In the meantime, the Debtor is ready, willing and able to make adequate protection payments to the Bank of New York.

7. Accordingly, it is respectfully requested that the Bank of New York Mellon's motion be denied.

**LEVITT & SLAFKES, P.C.**  
**Attorneys for Debtor**

By: /s/ Bruce H. Levitt  
Bruce H. Levitt

Dated: November 20, 2017